



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Inspection Results
Lafarge Corporation Landfill
Paulding County
Notice of Violation

December 26, 2012

Mr. Tim Weible,
Senior Environmental Manager
Lafarge Corporation
P.O. Box 160
Paulding, Ohio 45879

Dear Mr. Weible:

On December 13, 2012, I, along with Mr. Curtis DeLong and Ms. Kristin Tillison, represented the Ohio Environmental Protection Agency (Ohio EPA) and conducted an inspection of the Lafarge Corporation Landfill (Facility) for compliance with the residual waste regulations contained in Chapter 3745-30 of the Ohio Administrative Code (OAC). The Facility is currently classified as a Class III residual waste landfill. You, along with Mr. Ben Johnson, represented the Facility during the inspection. The weather at the time of the inspection was clear and cool. The results for the inspection are detailed below.

OAC Rule 3745-30-14(B)(2) states in part:

The owner or operator shall conduct all construction and operation at a residual solid waste landfill facility in strict compliance with the applicable authorizing document(s), including permit(s) to install. . .

1. During this inspection it appeared that the owner/operator has continued to take appropriate steps to fill in level lifts and to keep the CKD back from the edges of the cell by allowing for a drainage swale to surround the north and west sides of the cell. Please continue to ensure that these operational practices are implemented.
2. According to the permit to install (PTI) number 03-9614, Liquid Collection System Operations Plan (Plan), if leachate is deeper than 2-feet in the sump then the sump will be pumped until the leachate is less than 6-inches. **The owner/operator of Lafarge Corporation is in violation of OAC Rule 3745-30-14(B)(2) for failing to conduct all operations in accordance with the Facility's permit to install (PTI) number 03-9614, by failing to pump the leachate out of the sump in accordance with the Plan.** Please ensure the leachate is removed immediately.

OAC Rule 3745-30-14(E)(9)(a) states in part:

The owner or operator shall keep a daily log of operation of the facility that contains all the information specified on forms prescribed by the director. . . The owner or operator of the facility may use alternate forms . . . provided that all of the information requested on the prescribed forms is present.

3. An administrative survey of the Facility records was conducted. The daily, weekly, and monthly inspection logs for September 12, 2012, through December 12, 2012, were inspected and found to be complete.

Relevant comments have been made in the daily log of operations, Form 3. Furthermore, the more relevant documentation the owner/operator generates in addition to the Form 3 checklist, the better understanding of operations Ohio EPA has towards the Facility.

OAC Rule 3745-30-14(G)(1) states in part:

To minimize infiltration, intermediate cover shall be applied to all filled areas . . . where additional residual solid waste is not to be deposited for at least one hundred eighty days.

4. The north slope of Stage 5A is at final grade and will not be receiving any additional CKD. Intermediate cover should be applied to this area in accordance with OAC Rule 3745-30-14(G)(1). During the inspection, you indicated that this area would receive cover during the upcoming spring season. Please ensure that cover is applied to this area as soon as practicable and as conditions allow.

OAC Rule 3745-30-14(J)(1) states in part:

The owner or operator shall ensure that surface water at a residual solid waste landfill facility is diverted from areas where residual solid waste is being, or has been, deposited. The owner or operator shall ensure that a residual solid waste landfill facility is designed, constructed, maintained, and provided with surface water control structures that control run-on and runoff of surface water. These surface water control structures shall ensure minimal erosion. . .

5. Please continue to take actions to shed surface water away from Stage 6 that has not come into contact with CKD (i.e. covered portion of Stage 5A, portion of western slope that has cover, haul road leading into the cell, etc.).

OAC Rule 3745-30-14(K)(4) states in part:

If authorized in accordance with rule 3745-30-15 of the Administrative Code, the owner or operator may temporarily store leachate within the limits of waste placement . . .

6. The owner/operator implemented a new procedure to measure the liquid levels in the sump on September 16, 2012. The new procedure has identified that more than 1-foot of head has been and is currently on the soil liner. The initial leachate level measurement on September 16, 2012, was 6.1-feet. The last measurement taken on December 16, 2012, shows 4.7-feet. Since the sump is 2-feet deep, any measurement above 3-feet would be exceeding the 1-foot of head requirement. By allowing more than 1-foot of head on the liner system the owner/operator is storing leachate without the proper authorization. **The owner/operator of Lafarge is in violation of OAC Rule 3745-30-14(K)(4) for failing to get proper authorization to storage leachate within the limits of waste placement.** The owner/operator has removed 57,000 gallons of leachate from the sump since September 30, 2012. However, the owner/operator needs to take immediate action and be more aggressive in removing the leachate from the leachate collection system. According to the new procedure, 46-inches, as measured in the sideslope riser, needs to be removed to return to compliance. All data maintained by the owner/operator on-site showing the leachate levels in the sump prior to September 16, 2012, is no longer viewed credible by Ohio EPA.

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The owner/operator of Lafarge needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, the owner/operator is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to jeremy.scoles@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, the owner/operator is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

Please contact me at (419) 373-3079 if you have any questions concerning this inspection.

Sincerely,



Jeremy Scoles, RS
Environmental Supervisor
Division of Materials and Waste Management

/cg

pc: Ben Johnson, Quarry Supervisor, Lafarge
Brian Gasiorowski, Lafarge Regional Env'tl Manager
DMWM-SW, Paulding County, Lafarge Corporation, Inspections

ec: Abdul Smiley, Mike Reiser, Curtis DeLong